

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA

GLEN DALE HAMMON,	)	
	)	
Petitioner,	)	
	)	
vs.	)	NO. CIV-04-1007-HE
	)	
RON WARD,	)	
	)	
Respondent.	)	

**ORDER**

Petitioner, a state prisoner appearing *pro se*, seeks a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Consistent with 28 U.S.C. § 636(b)(1)(B), the matter was referred to Magistrate Judge Doyle W. Argo who issued his Report and Recommendation, recommending that the petition and petitioner's request for an evidentiary hearing be denied. The matter is currently before the Court on petitioner's objection to the Report and Recommendation.<sup>1</sup>

Having considered the matter *de novo*, the Court concurs with Judge Argo's conclusion that petitioner's appellate counsel was not ineffective and his remaining claims are procedurally barred from review. In addition, the Court agrees with Judge Argo's conclusion that petitioner is not entitled to an evidentiary hearing on his claims.


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<sup>1</sup>*Because petitioner has objected to the Report and Recommendation, the matter is reviewed de novo. 28 U.S.C. § 636(b)(1)(C).*

Accordingly, the Court **ADOPTS** the Report and Recommendation in its entirety, **DENIES** petitioner's request for an evidentiary hearing and **DENIES** petitioner's petition for writ of habeas corpus.

**IT IS SO ORDERED.**

Dated this 22nd day of April, 2005.



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JOE HEATON  
UNITED STATES DISTRICT JUDGE